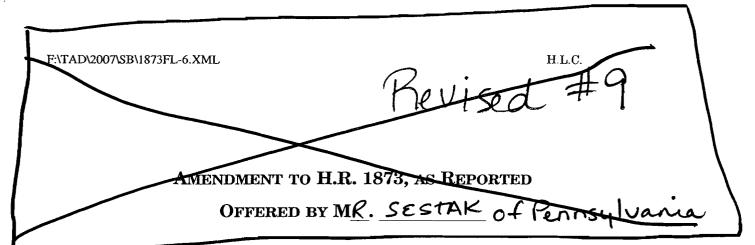
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Strike section 101 and insert the following:

1	SEC. 101. DEFINITIONS OF BUNDLING OF CONTRACT RE-
2	QUIREMENTS AND RELATED TERMS.
3	Section 3 of the Small Business Act (15 U.S.C. 632)
4	is amended by amending subsection (o) to read as follows:
5	"(0) Definitions of Bundling of Contract Re-
6	QUIREMENTS AND RELATED TERMS.—For purposes of
7	this Act:
8	"(1) BUNDLED CONTRACT.—
9	"(A) IN GENERAL.—The term 'bundled
10	contract' means a contract or order that is en-
11	tered into to meet procurement requirements
12	that are consolidated in a bundling of contract
13	requirements, without regard to its designation
14	by the procuring agency or whether a study of
15	the effects of the solicitation on civilian or mili-
16	tary personnel has been made.
17	"(B) EXCEPTIONS.—The term does not in-
18	clude

1	"(i) a contract or order with an aggre-
2	gate dollar value below the dollar threshold
3	specified in paragraph (4); or
4	"(ii) a contract or order that is en-
5	tered into to meet procurement require-
6	ments, all of which are exempted require-
7	ments under paragraph (5).
8	"(2) Bundling of contract require-
9	MENTS.—
10	"(A) IN GENERAL.—The term 'bundling of
11	contract requirements' means the use of any
12	bundling methodology to satisfy 2 or more pro-
13	curement requirements for goods or services
14	previously supplied or performed under separate
15	smaller contracts or orders, or to satisfy 2 or
16	more procurement requirements for construc-
17	tion services of a type historically performed
18	under separate smaller contracts or orders, that
19	is likely to be unsuitable for award to a small
20	business concern due to—
21	"(i) the diversity, size, or specialized
22	nature of the elements of the performance
23	specified;
24	"(ii) the aggregate dollar value of the
25	anticipated award;

1	"(iii) the geographical dispersion of
2	the contract or order performance sites; or
3	"(iv) any combination of the factors
4	described in clauses (i), (ii), and (iii).
5	"(B) Inclusion of New Features of
6	FUNCTIONS.—A combination of contract re-
7	quirements that would meet the definition of a
8	bundling of contract requirements but for the
9	addition of a procurement requirement with at
10	least one new good or service shall be consid-
11	ered to be a bundling of contract requirements
12	unless the new features or functions substan-
13	tially transform the goods or services and for
14	which measurably substantial benefits to the
15	government in terms of quality or price are
16	identified.
17	"(C) Exceptions.—The term does not in-
18	clude—
19	"(i) the use of a bundling method-
20	ology for an anticipated award with an ag-
21	gregate dollar value below the dollar
22	threshold specified in paragraph (5); or
23	"(ii) the use of a bundling method-
24	ology to meet procurement requirements,

1	all of which are exempted requirements
2	under paragraph (6).
3	"(3) Bundling methodology.—The term
4	'bundling methodology' means—
5	"(A) a solicitation to obtain offers for a
6	single contract or order, or a multiple award
7	contract or order; or
8	"(B) a solicitation of offers for the
9	issuance of a task or a delivery order under an
10	existing single or multiple award contract or
11	order.
12	"(4) SEPARATE SMALLER CONTRACT.—The
13	term 'separate smaller contract', with respect to
14	bundling of contract requirements, means a contract
15	or order that has been performed by 1 or more small
16	business concerns or was suitable for award to 1 or
17	more small business concerns.
18	"(5) Dollar threshold.—The term 'dollar
19	threshold' means \$65,000,000, if solely for construc-
20	tion services.
21	"(6) Exempted requirements.—The term
22	'exempted requirement' means a procurement re-
23	quirement solely for items that are not commercial
24	items (as the term 'commercial item' is defined in

1	section 4(12) of the Office of Federal Procurement
2	Policy Act (41 U.S.C. 403(12)).
3	"(7) PROCUREMENT REQUIREMENT.—The term
4	'procurement requirement' means a determination
5	by an agency that a specified good or service is
5	needed to satisfy the mission of the agency"